

PB# 82-32

J & H Smith Light Corp.

J & H Smith Site 82-32

Approved 1/12/83
 filed with TC. ~~1/12/83~~
 Received 3/9/83
 TC's office E.C.

TOWN OF NEW WINDSOR		General Receipt		5061
555 Union Avenue New Windsor, N. Y. 12550		Jan 17		19 83
Received of J & H Smith Light Corp		\$ 25.00		
Seventy Five				DOLLARS
For Balance site Plan Fee				
DISTRIBUTION				
FUND	CODE	AMOUNT		
CE 116699		75.00		
10-82-32				
By Pauline H. Townsend				
Town Clerk				Title

TOWN OF NEW WINDSOR		General Receipt		5050
555 Union Avenue New Windsor, N. Y. 12550		Dec. 23		19 82
Received of J & H Smith Light Corp		\$ 25.00		
Twenty Five and 00/100				DOLLARS
For Application Fee - 82-32				
DISTRIBUTION				
FUND	CODE	AMOUNT		
\$ 25.00	Check			
By Pauline H. Townsend E.C.				
Town Clerk				Title

TOWN OF NEW WINDSOR
250 MAIN AVENUE
NEW WINDSOR, N. Y. 12550

General Receipt

5000

19 82

Amount of Twenty Five Hundred \$ 2500
DOLLARS

FUND	CODE	AMOUNT
5000	0000	

By [Signature]
Title

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

(This is a two-sided form)

Date Received 12/22/82
Meeting Date 12/22/82
Public Hearing _____
Action Date _____
Fees Paid \$ 75.00

APPLICATION FOR SITE PLAN APPROVAL

1. Name of Project J & H SMITH LIGHT CORP.
2. Name of applicant J & H SMITH LIGHT CORP. Phone (914) 561-8800
Address P.O. Box 1449, 39 Wisner Avenue, Newburgh, NY 12550
(Street No. & Name) (Post Office) (State) (Zip Code)
3. Owner of record J & H SMITH LIGHT CORP. Phone (914) 561-8800
Address (Same as above)
(Street No. & Name) (Post Office) (State) (Zip Code)
4. Name of person preparing plan McGoey, Hauser and Grevas Phone (914) 562-8640
Address 45 Quassaick Avenue, New Windsor, NY 12550
(Street No. & Name) (Post Office) (State) (Zip Code)
5. Attorney Mr. Richard J. Drake Phone (914) 562-8700
Address 427 Little Britain Road, Newburgh, NY 12550
(Street No. & Name) (Post Office) (State) (Zip Code)
6. Location: On the South Side side of Route 207
(Street)
at intersection _____ feet _____
(direction)
of Freedom Road
(Street)
7. Acreage of parcel 3.08 ± acres
8. Zoning district R-4
9. Tax map designation: Section 4 Block 1 Lot(s) 11.2
10. This application is for the use and construction of Offices and light industry
(assembly)
11. Has the Zoning Board of Appeals granted any variance or special permit concerning this property? Yes If so, list case No. and Name 82-9
Ruth Sloan Harris & Gladys Sloan Brady (former owners)
12. List all contiguous holdings in the same ownership N/A
Section _____ Block _____ Lot(s) _____

FOR OFFICE USE ONLY:

Schedule _____ Column _____ Number _____

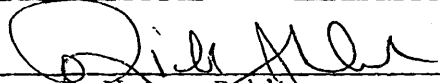
Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached. Joseph Smith

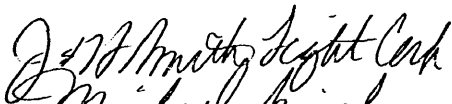
I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION, CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

22 day of December, 1982



Notary **RICHARD J. DRAKE**
Notary Public, State of New York
Residing in Orange County, New York
Commission Expires March 30, 1984



Applicant's Signature

Vice-President

Title

ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE }
STATE OF NEW YORK } SS.:

_____ being duly sworn, deposes and says that he resides

_____ in the
(Owner's Address)
county of _____ and State of _____

and that he is (the owner in fee) of _____ of the _____
(Official Title)

Corporation which is the owner in fee) of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for special use approval as described herein.

Sworn before me this.

_____ day of _____, 1982

(Owner's Signature)

Notary Public

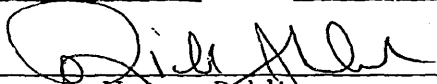
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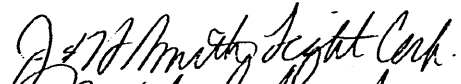
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Title

ENDORSEMENT

(Completion required ONLY if applicable)

COUNTY OF ORANGE }
STATE OF NEW YORK } SS.:

_____ being duly sworn, deposes and says that he resides
_____ in the
(Owner's Address)
county of _____ and State of _____
and that he is (the owner in fee) of (_____ of the _____
(Official Title)
Corporation which is the owner in fee) of the premises described in the foregoing application
and that he has authorized _____ to make the fore-
going application for special use approval as described herein.

Sworn before me this.

_____ day of _____, 1982

(Owner's Signature)

Notary Public

Motion carried. Extension granted. 6 ayes, no nays, 1 abstain.

Secretary to notify Atty. Weiner and send a copy of letter to Mrs. Sarcoka, 171 River Rd.

2 on the Agenda

Husted & Townsend Trailers Site Plan
Riley Road
represented by Elias Grevas

Chairman Van Leeuwen: We must make a decision on this site within 45 days of the Public Hearing.

Mr. Jones: This has been going on for some time. They have met the requirements. We checked this with the Engineer before. Paul, is everything done there?

Mr. Cuomo: Yes, except downstream and that is not their problem.

Motion by Mr. Jones seconded by Mr. Scheible that the Planning Board of the Town of New Windsor approve the site plan of Husted & Townsend Trailers and collect all fees. (\$75.00 Site plan balance due and \$250.00 per unit for parkland) subject to that twenty five (25 ft.) feet from center of road is deeded to the Town. This to be shown on map.

Roll call: all ayes, no nays. Motion carried.

Engineering fee: \$50.00.

Mr. Grevas to show 25 ft. deeded to Town on map, and deed for Town.

#3 on Agenda:

J & H. Smith Site Plan
Located on Freedom Road Route 207/Route 300
represented by Elias Grevas and Mr. Smith

Mr. Grevas: J & H Smith build small parts. They will have 2100 sq. ft. of office space.

Storm drainage is under Freedom Road.

There will be parking for 34 cars.

Chairman Van Leeuwen: Are you clearing all the trees?

Mr. Grevas: We are clearing the trees. The night of the meeting with the ZBA two bordering residents stated they would rather have it cleared and lawn put in.

There will be no access from Freedom Road.

They will connect to Town water and sewer.

Chairman Van Leeuwen: What is the building going to be?

Mr. Grevas: Masonary. Highth is $16\frac{1}{2}$ ft. in rear. The office is shorter.

Mr. Grevas: If everyone agrees to entrance I will submit to DOT tomorrow.

Mr. Scheible: It is a good size piece of property.

Mr. Grevas: Front yard is 100 ft., rear is 50 ft. Any addition would be prohibited.

Chairman Van Leeuwen: Did Paul see this yet?

Mr. Grevas: No, not yet.

Mr. Cuomo: I haven't seen it.

Chairman Van Leeuwen: Gentlemen, your pleasure.

Motion by Mr. Spignardo seconded by Mr. Scheible that the Planning Board of the Town of New Windsor send the plans of J & H Smith Site to the Planning Board Engineer for his review and comments, and that Mr. Grevas take the Plans with curb cuts to the DOT. A copy also to be sent to the Orange County Department of Public Works.

Roll call: All ayes, no nays. 7 ayes, 0 nays.

Mr. Grevas asked the Board if he might speak on another matter.

Chairman Van Leeuwen asked the Board and Board agreed to hear Mr. Grevas.

Joseph Ruscitti

Signing of a mylar.

Mr. Grevas: The mylar was lost and one must be filed.
We need a stamped mylar.

Motion by Mr. Jones seconded by Mr. Infante that the Planning Board of the Town of New Windsor stamp the new mylar of Joseph Ruscitti after a notation is added to the plan.

Roll call: All ayes, no nays, 7 ayes, 0 nays, Motion approved to stamp mylar.

Mr. Schiefer asked to be excused from the meeting..
#4 on the Agenda

Ken Campbell Site Plan

Route 32

represented by Mr. Kenneth Campbell

Chairman Van Leeuwen: Who are the owners of the property.

Mr. Campbell: Ken Campbell and Freida Gordon are the owners.
Mr. Gelixson is not my partner.

Mr. Jones: He left a mess in this town.

Chairman Van Leeuwen: The retention ponds, they are deeper now.

Mr. Campbell: We made the ponds deeper to comply with the DOT.
Drainage was increased. DOT wanted larger ponds.



COUNTY OF ORANGE
LOUIS HEIMBACH, COUNTY EXECUTIVE

Department of Public Works

ROUTE 17-M P.O. BOX 509
GOSHEN, NEW YORK 10924
TEL: Office 294-7951 - Garage 294-9115

UIS J. CASCINO, P.E.
Commissioner

January 11, 1983

Office of the Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Attn: Henry Van Leeuwen, Chairman

Re: J & H Smith Light Corp.
Site Plan Review
N.Y.S. Routes 207/300
Town of New Windsor

Dear Mr. Van Leeuwen:

Our Department has reviewed the referenced proposal and anticipates no appreciable impact on the nearest County Road, namely, Union Avenue, CR-69, Part I. This review has been based on proposed drainage and traffic volumes.

N.Y.S. Route 300, formerly Temple Hill Road, County Road No. 59, is presently under D.O.T. jurisdiction. If under our review, we would be somewhat concerned with apparent surcharge capabilities of the 15" CMP storm drain system fronting lands, N/F, Angeloni, which now is a D.O.T. responsibility.

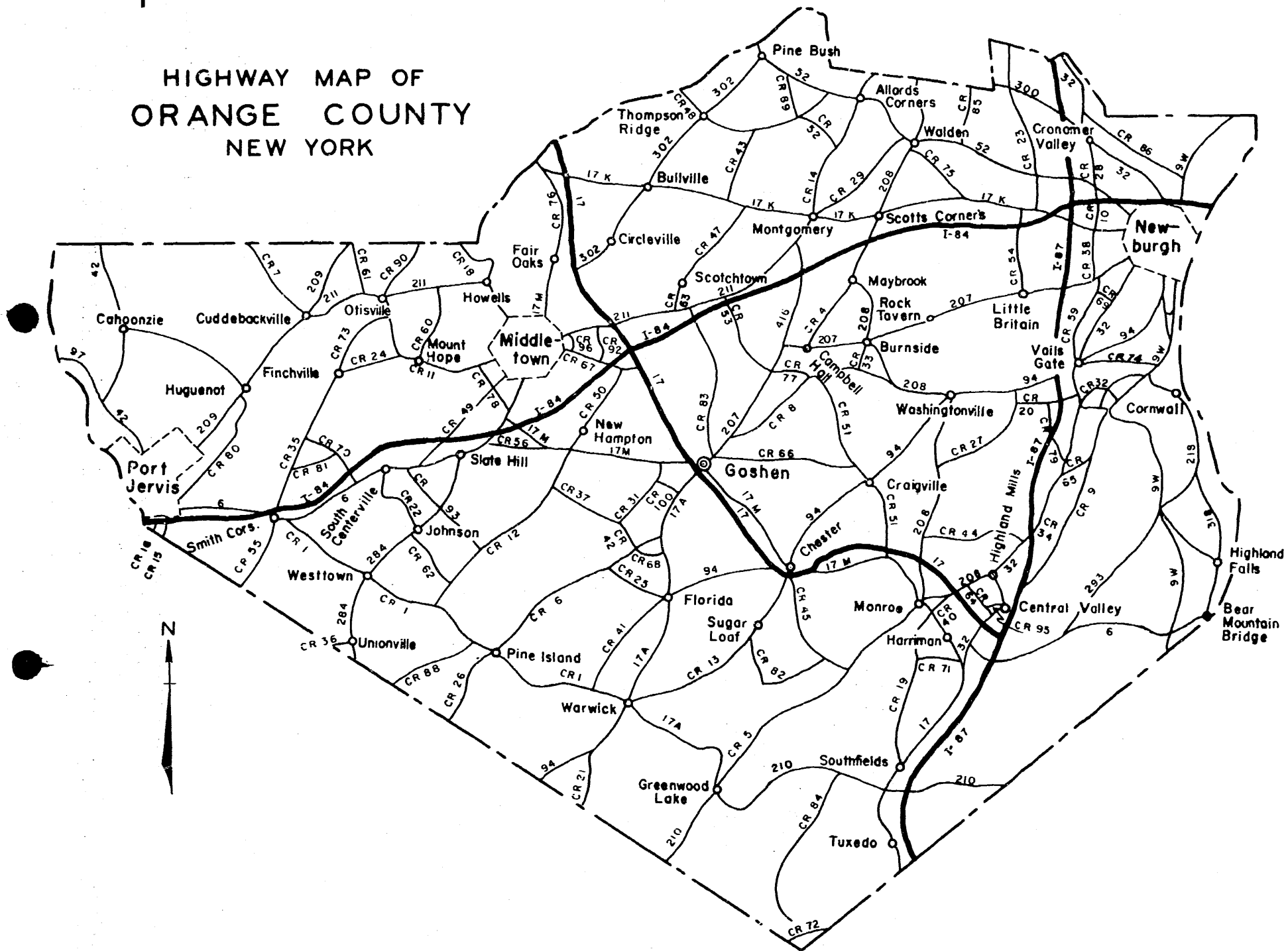
Very truly yours,

William E. Duggan
Senior Engineer

WED/1j1

cc: McGoey, Hauser & Grevas, P.C.
Joel Shaw, O.C. Planning

HIGHWAY MAP OF ORANGE COUNTY NEW YORK



ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----x
In the Matter of the Application of
GLADYS SLOAN BRADY and RUTH SLOAN HARRIS,

DECISION GRANTING
USE VARIANCE

82-9 .

-----x
WHEREAS, GLADYS SLOAN BRADY and 9074 142nd St., North,
RUTH SLOAN HARRIS of Largo, Florida and

R.D.#5, Box 163C, Kingston, N.Y., , have made application before the
Zoning Board of Appeals for a use variance for the purposes of:
construction of building to house office and light industry in R-4 zone
and

WHEREAS, a public hearing was held on the 25th day of
October, , 19 82 at the Town Hall, 555 Union Avenue, New
Windsor, New York; and

WHEREAS, applicants appeared by their attorney, Richard J.
Drake, Esq., of Rider, Drake, Sommers & Loeb P.C., Newburgh, N.Y. ; and

WHEREAS, the application was unopposed ; and

WHEREAS, the Zoning Board of Appeals of the Town of New
Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents
and businesses as prescribed by law and published in The Sentinel, also
as required by law.

2. The evidence shows: that property is located in R-4 (resi-
dential) zone and is located at an extremely busy commercial interchange
and zoned OLI (office-light industry) directly to the west of said property;

3. The evidence shows: that property has been in the hands
of brokers for sale as residential property for the past four/five years
and remains unsold for residential purposes.

4. The evidence shows: that the character of the land and its location create an unnecessary hardship to applicants to sell or develop the premises as residential.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The evidence indicates that the aforesaid circumstances or conditions are such that the strict application of the provisions of the local law would deprive the applicant of the reasonable use of such land or building.

2. The evidence indicates that the plight of the applicant is due to unique circumstances and not to general conditions suffered by other persons within the same zone.

3. The evidence shows that the application as presented does not alter the essential character of the neighborhood.

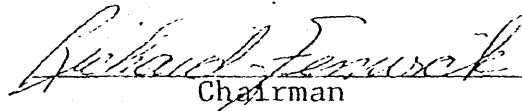
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grant a use variance as applied for and in connection with plans presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: November 8, 1982


Chairman

October 26, 1982

* * * * *

PRELIMINARY MEETING:

Daniel J. Bloom, Esq. of the lawfirm of BLOOM & BLOOM P.C., appeared before the Zoning Board of Appeals with Mr. Leonard Russell of FUNTASTIC INC. of 1088 Central Park Avenue, Scarsdale, New York, who intend to put an arcade for amusement, vending and video games in the former OTB establishment located on Route 32, New Windsor, N.Y. in a "C" (designed shopping) zone.

According to a Notice of Disapproval of Building Permit Application dated October 5, 1982 and issued by Acting Building/Zoning Inspector, Paul V. Cuomo, a use variance or interpretation was needed because there is no apparent coverage in the Table of Use Regs. under Uses Permitted by Right. (Section 48-41 of Zoning Local Law).

After a long discussion, motion was made by James Nugent, seconded by John Pagano to schedule a public hearing for a use variance and/or interpretation upon the return of the completed paperwork.

ROLL CALL: Mr. Pagano - Yes
Mr. Bivona - Yes
Mr. Babcock - No
Mr. Nugent - Yes
Mr. Skopin - Yes
Mr. Konkol - Yes
Mr. Fenwick - Yes

Motion carried 6 ayes - 1 nay.

* * * * *

PUBLIC HEARING on Application of RUTH SLOAN HARRIS and GLADYS SLOAN BRADY, owners of property located on Route 207 at the intersection of Temple Hill Road, (R-4 zone); and JOSEPH SMITH of 10 Chestnut Lane, Newburgh, New York, as contract purchaser.

Richard J. Drake, Esq., of Rider, Drake, Sommers & Loeb P. C., P.O. Box 991, Newburgh, N. Y., appeared before the Board representing both owners and contract purchaser. Mr. Drake presented a list from Town Assessor's office containing 16 names thereon; 16 return receipts from adjacent property owners, Affidavit of Publication of Notice would be forthcoming from The Sentinel, and check in the sum of \$50.00 for the application fee. Approximately 8 spectators attended. No objections were voiced.

Mr. Drake requested at this time that the application be amended to delete plans for an insurance office which would have been located on the front portion of the building. The revised plans were to include the industrial portion and offices only.

October 26, 1982

Chairman Richard Fenwick at this point of the hearing asked that the letter dated September 16, 1982 which was received from the Orange County Planning Department, be received and filed. The County returned the application to the Board for local determination.

Mr. Drake stated that there would be a building constructed and the primary use would be for assembly operation containing approximately 12,500 sq. ft.

At this point of the hearing, Mr. Drake introduced John D. Dwyer of Appraisal Services who was present for the purposes of providing input concerning the market study of the area. Mr. Dwyer also provided copies of the market study for the Board members to examine.

Also present at the hearing and submitting information concerning the layout of the building was Elias D. Grevas of McGoey, Hauser & Grevas. Mr. Grevas provided copies of the site plan for each member of the Board stating that ingress/egress would be on 207.

Secretary received and filed a letter dated September 20, 1982 from John J. Lease, Realtors, which gave some background on the attempts to sell the property for residential purposes.

Also, letter dated October 14, 1982 was received and filed from Duggan, Crotty & Dunn which stated that they did not object to the proposed application before the Board.

Public hearing was recorded on Tapes #106 and 107 on file in Secretary's office.

After the close of the hearing, motion was made by Jack Babcock, seconded by John Pagano, to approve the use variance as presented in accordance with plans dated September 13, 1982 and revised on October 11, 1982.

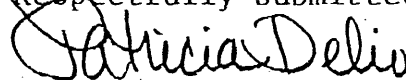
ROLL CALL:	Mr. Pagano	- Yes	Mr. Skopin	- Yes
	Mr. Bivona	- Yes	Mr. Konkol	- Yes
	Mr. Babcock	- Yes	Mr. Fenwick	- Yes
	Mr. Nugent	- Yes		

Motion carried 7-0. Application approved. Formal decision would be drafted and acted upon at an upcoming meeting of the Board.

* * * * *

Since there was no other business to be discussed, motion followed by John Pagano, seconded by Joseph Skopin. Motion carried 7-0. Meeting adjourned.

Respectfully submitted,



PATRICIA DELIO; Secretary